

REMARKS/ARGUMENTS

Claims 1 – 2 and 4 are presented for reconsideration and further examination in view of the foregoing amendments and following remarks. Claims 3 and 5 have been previously cancelled without prejudice or disclaimer.

In the outstanding Office Action, the Examiner rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over Applicant's admitted prior art (hereinafter referred to as "AAPA") in view of U.S. Patent No. 4,571,171 to Blank et al. (hereinafter referred to as "the Blank et al. '171 patent"); and rejected claims 2 and 4 under 35 U.S.C. §103(a) as being unpatentable over AAPA in view of the Blank et al. '171 patent in view of U.S. Patent No. 3,868,202 to Valyi (hereinafter referred to as "the Valyi '202 patent") and further in view of U.S. Patent No. 3,685,943 to Fischer (hereinafter referred to as "the Fischer '943 patent").

Figure 2 has been amended to include reference number 20; claim 1 has been amended; and, as amended, the rejections to the claims have been traversed. Support for the amendment to claim 1 is found on page 3, lines 27 – 35 of the original specification. It is respectfully submitted that no new matter has been introduced to this application.

Rejections Under 35 U.S.C. §103(a)

The Examiner rejected as being unpatentable over AAPA in view of the Blank et al. '171 patent and rejected claims 2 and 4 as being unpatentable over AAPA in view of the Blank et al. '171 patent in view of the Valyi '202 patent and further in view of the Fischer '943 patent.

Response

Claim 1 has been amended and, as amended, the rejections thereto are respectfully traversed. To establish a *prima facie* case of obviousness, the Examiner must establish that the prior art

references teach or suggest all of the claim limitations. *Amgen, Inc. v. Chugai Pharm. Co.*, 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); *In re Fine*, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 USPQ 494, 496 (CCPA 1970).

Amended independent claim 1 recites "...the male mold plate further characterized in that an inclined drag element and a step are secured to the base plate and actuates the slide in such a way that said drag element less than completely opens the male mold cones merely for a detachment stroke at a position between a closing position and an extraction position."

Applicant's Admitted Prior Art discloses an inclined drag element that is securely attached to the base plate and that completely opens male mold cones a distance *S*. See *Present Application* at page 3, lines 4 – 23. However, in contrast to the presently claimed subject matter, AAPA does not disclose, teach or suggest "...that an inclined drag element and a step are secured to the base plate and actuates the slide in such a way that said drag element less than completely opens the male mold cones..." as recited in independent claim 1. Rather AAPA discloses that the male mold cones are entirely opened by the drag plate. Moreover, the AAPA does not disclose a step is secured to the base plate that operates to open the male mold cones. In the present inventive subject matter, it is the step that causes the drag plate to less than completely open. Therefore, since all of the elements of the presently claimed invention are not present in AAPA, AAPA does not render the presently claimed invention obvious.

The secondary references do not cure the deficiencies of the primary reference. The Blank et al. '171 patent discloses a multiple injection mould for the manufacture of performs. The Valyi '202 patent discloses an apparatus for the production of composite containers by blow molding. And, the Fischer '943 patent discloses an apparatus for the production of hollow plastic articles. However, none of these cited secondary references, discloses, teaches or suggests "...that an inclined drag

element and a step are secured to the base plate and actuates the slide in such a way that said drag element less than completely opens the male mold cones..." as recited in independent claim 1.

Therefore, since all of the elements of the presently claimed invention are not present in any of the cited prior art references, taken alone or in any combination with each other, the cited prior art references do not render the presently claimed invention obvious.

As Applicants have shown that independent claim 1 is patentable over the cited prior art references, Applicants assert that dependent claims 2 and 4 are similarly patentable over the cited prior art since dependent claims 2 and 4 necessarily contain all of the features of the independent claim 1 by virtue of their dependency thereon. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the outstanding rejections.

CONCLUSION

Applicants submit that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned attorney.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: December 13, 2007
THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
(703) 548-6284

By: 

Gary M. Nath
Registration No. 26,965
Jerald L. Meyer
Registration No. 41,194
Derek Richmond
Registration No. 45,771
Customer No. 20529

Appl. No. 10/542,782

Reply to Office Action of June 15, 2007

Attorney Docket No. 26866U

APPENDIX

Appl. No. 10/542,782
Reply to Office Action of June 15, 2007
Attorney Docket No. 26866U

Amendments to the Drawings

The attached sheet of drawings includes changes to figure 2. This sheet appears in the Appendix to this paper and replaces original figure 2.

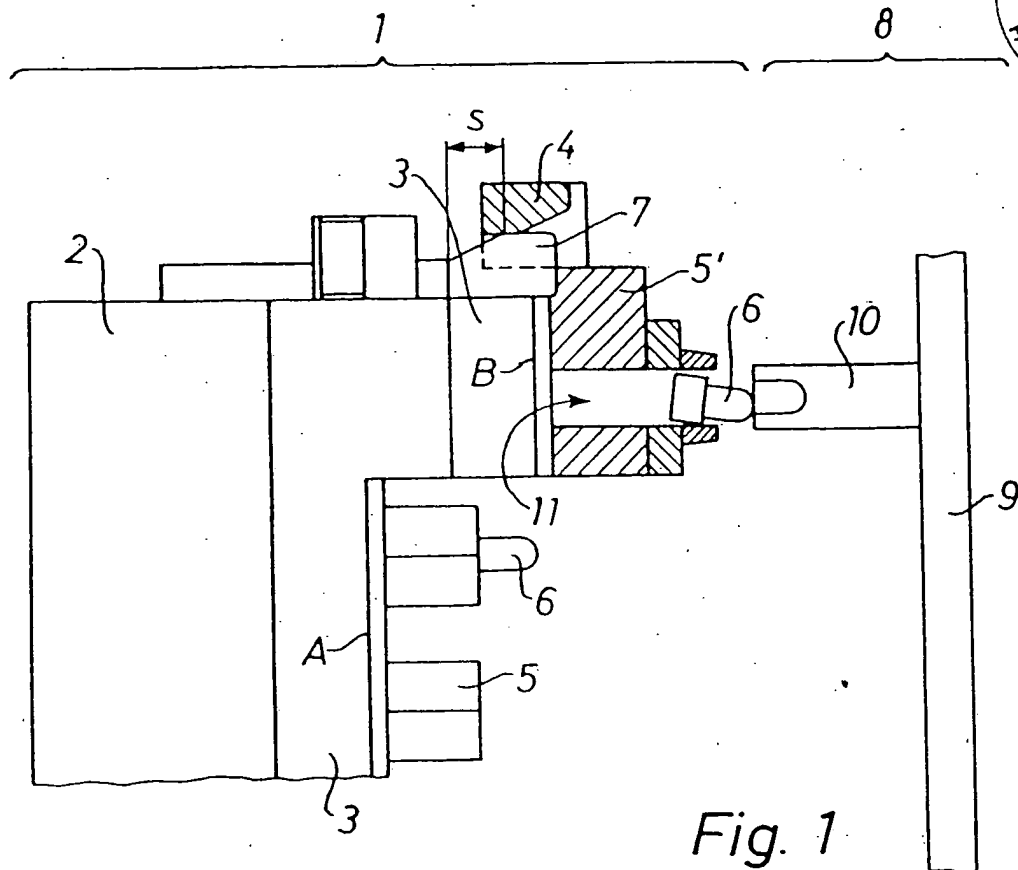


Fig. 1
PRIOR ART

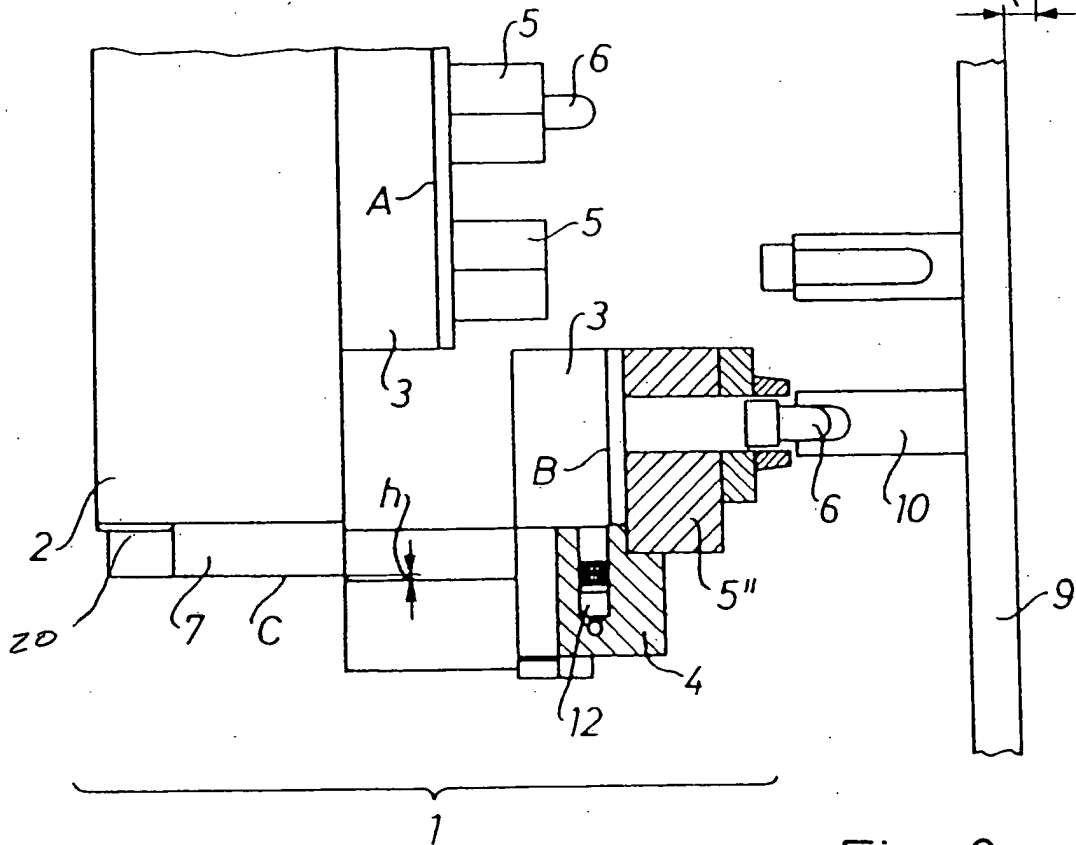


Fig. 2